

# City Council Agenda

## REVISED AGENDA RE: TO GENERAL ADMIN ITEM 2C

Council President  
Steve Brandau

Councilmembers

Oliver L. Baines III – Acting President  
Lee Brand  
Paul Caprioglio

Clinton J. Olivier  
Sal Quintero  
Blong Xiong

City Manager  
Bruce Rudd

City Clerk  
Yvonne Spence, CMC

City Attorney  
Douglas T. Sloan

The meeting room is accessible to the physically disabled. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at 559-621-7650 at least three business days prior to the meeting. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, contact Security.

The City Council welcomes you to the Council Chambers, located in City Hall, 2<sup>nd</sup> Floor, 2600 Fresno Street, Fresno CA 93721.

### February 13, 2014

#### 8:30 A.M. ROLL CALL

Invocation by Pastor Lee Pointer of the Bethlehem Baptist Church

Pledge of Allegiance to the Flag

#### Ceremonial Presentations:

Presentation of SPCA Pet of the Month – Councilmember Xiong

Proclamation of “ELECTRIC MOTOR SHOP DAY” celebrating 100 years in business –  
Councilmember Quintero

Proclamation of “FREE APPLICATION FOR FEDERAL STUDENT AID (FAFSA) COMPLETION  
AWARENESS MONTH” – Acting President Baines

Retirement Ceremony – Councilmember Olivier

The agenda and related staff reports are available on ([www.fresno.gov](http://www.fresno.gov)) as well as in the Office of the City Clerk. The Council meeting can also be heard live at the same web site address, and viewed live on Comcast Channel 96 and AT&T Channel 99 from 8:30 a.m. and re-played beginning at 8:00 p.m.

**PROCESS:** For each matter considered by the Council there will first be a staff presentation followed by a presentation from the involved individuals, if present. Testimony from those in attendance will then be taken. All testimony will be limited to three minutes per person. If you would like to speak fill out a Speaker Request Form available from the City Clerk's Office and in the Council Chambers. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker.

The green light on the podium will be turned on when the speaker begins. The yellow light will come on with one minute remaining. The speaker should be completing the testimony by the time the red light comes on and tones sound, indicating that time has expired. A countdown of time remaining to speak is also displayed on the large screen behind the Council dais.

No documents shall be accepted for Council review unless they are submitted to the City Clerk at least 24 hours prior to the Council Agenda item being heard.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Approve Council minutes of February 6, 2014

**Action Taken:**

Councilmember Reports and Comments

**Action Taken:**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

1. **CONSENT CALENDAR**

All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered as time allows.

- A. \* **RESOLUTION** - 34th amendment to the Annual Appropriation Resolution (AAR) No. 2013-98 appropriating \$70,200 for design costs on the new bridge preventive maintenance program in fiscal year 2014 (**Requires 5 affirmative votes**) (**Citywide**) - Public Works Department

**Action Taken:**

- B. Approval of a one (1) year agreement with The Way Ministries for secondary operation responsibility for recreational programming at Lafayette Neighborhood Center (**Property located in District 7**) – PARCS

**Action Taken:**

1. **CONSENT CALENDAR CONTINUED**

- C. Approve and Ratify Master Lease Agreement with Dell Financial Services -Information Services Department  
**Action Taken:**
- D. **RESOLUTION** - Ordering the summary vacation of the sixteen foot wide public utility easement (PUE) in Lots 4 through 10 of Rose Court, located west of N. Blackstone Avenue and north of E. Floradora Avenue (***Property located in District 1***)- Public Works Department  
**Action Taken:**
- E. \* **BILL NO. B- 7 – (Intro. 2/6/2014) (For adoption)** - Adding Section 12-1271 to Chapter 12, Article 17 of the Fresno Municipal Code relating to signs – Councilmember Brand  
**Action Taken:**

**CONTESTED CONSENT CALENDAR**

2. **GENERAL ADMINISTRATION**

- A. **WORKSHOP** relating to homelessness - City Manager's Office
- B. **WORKSHOP** relating to Transit Oriented Development (TOD) and downtown projects – City Manager's Office
- C. **RESOLUTION** - Authorizing the submission of applications for grant funding for Capital Improvement Projects in Downtown Fresno from the Fresno County Measure "C" Transit Oriented Development (TOD) Program and authorizing the execution of application related documents by the City Manager or designee – City Manager's Office  
**Action Taken:**

3. **CITY COUNCIL**

4. **CLOSED SESSION**

- A. **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION** - Government Code Section 54956.9, subdivision (d)(1)
1. Chris Willis, et al. v. City of Fresno, et al.; United States District Court Case No.: 09-CV-01766-LJO-DLB  
**Action Taken:**

**JOINT CLOSED SESSION OF THE CITY OF FRESNO AND THE SUCCESSOR AGENCY TO  
THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND FRESNO REVITALIZATION  
CORPORATION**

**B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Government Code Section 54956.8**

**Property:** APN 493-020-28ST (No Address); APN 493-020-29ST (5025 E. Dakota); APN 493-020-37ST; (5005 E. Dakota)

**Negotiating Parties:** Executive Director of Successor Agency Marlene Murphey

**Under Negotiation:** Price and Terms of Payment

**Action Taken:**

**4. CLOSED SESSION**

**C. CONFERENCE WITH LABOR NEGOTIATOR – Government Code Section 54957.6**

**City Negotiator(s):** Jeffrey Cardell, Ken Phillips

**Employee Organization(s):**

1. City of Fresno Management Employees Association (CFMEA)
2. City of Fresno Professional Employees Association (CFPEA)
3. IUOE, Stationary Engineers, Local 39 (L39)
4. Fresno City Employees Association (FCEA)
5. Fresno Police Officers Association (FPOA Basic)
6. International Association of Firefighters, Local 753 (Fire Basic)
7. Amalgamated Transit Union, Local 1027 (ATU)
8. International Brotherhood of Electrical Workers, Local 100 (IBEW)
9. Fresno Police Officers Association (FPOA Management)
10. International Association of Firefighters, Local 753 (Fire Mgmt)
11. Fresno Airport Public Safety Supervisors (FAPSS)

**Action Taken:**

**D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Government Code Section 54957**

**Title:** City Attorney

**Action Taken:**

**E. CONFERENCE WITH LABOR NEGOTIATOR – Government Code Section 54957.6**

**City Negotiator(s):** Council President Brandau

**Unrepresented Employee:** City Attorney

**Action Taken:**

**F. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Government Code Section 54957**

**Title:** City Clerk

**Action Taken:**

**G. CONFERENCE WITH LABOR NEGOTIATOR – Government Code Section 54957.6**

**City Negotiator(s):** Council President Brandau

**Unrepresented Employee:** City Clerk

**Action Taken:**

## SCHEDULED COUNCIL HEARINGS AND MATTERS

### 10:30 A.M. **JOINT MEETING OF THE CITY OF FRESNO AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND FRESNO REVITALIZATION CORPORATION**

- A. City Council in its capacity as Housing Successor, Successor Agency Board, and Fresno Revitalization Corporation (FRC) consider adopting:
1. **RESOLUTION** – Approving the Recognized Obligation Payment Schedule for July 1 – December 31, 2014 (ROPS 14-15A) (*City, Successor Agency, and FRC action*)  
**Action Taken:**

### ADJOURN JOINT MEETING

### SCHEDULED COMMUNICATION –

**PLEASE NOTE: UNSCHEDULED COMMUNICATIONS IS NOT SCHEDULED FOR A SPECIFIC TIME AND MAY BE HEARD ANY TIME DURING THE MEETING**

**UNSCHEDULED COMMUNICATION** – Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk's Office at least ten (10) days prior to the desired date. Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda.

## UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS

- Feb. 27 – 10:00 A.M. **HEARING** re: Plan Amendment Nos. A-13-004 and A-13-005, Rezone Application Nos. R-13-11 and R-13-12, filed by Brent McCaffrey
- Feb. 27 – 10:10 A.M. **HEARING** re: Plan Amendment No. A-13-006, Rezone Application No. R-13-013, filed by Brent McCaffrey
- Feb. 27 – 10:30 A.M. **WORKSHOP** regarding recycling
- Mar. 27 - 10:00 A.M. **CONTINUED PUBLIC HEARING** to consider increasing water connection fees (*Citywide*) – Department of Public Utilities
- Mar. 27 - 10:30 A.M. **HEARING** to consider Final Tract Map No. 6044 annexed to CFD No. 11

## UPCOMING EMPLOYEE CEREMONIES

- Apr. 9 - (Weds) 2:00 p.m. Presentation of Employee Service Awards (*Reception immediately following – 2<sup>nd</sup> floor foyer*)
- Apr. 24 - 8:30 a.m. Employee of the Spring Quarter (*Reception immediately following – 2<sup>nd</sup> floor foyer*)
- July 31 - 8:30 a.m. Employee of the Summer Quarter (*Reception immediately following – 2<sup>nd</sup> floor foyer*)
- Oct. 2 - 8:30 a.m. Employee of the Fall Quarter (*Reception immediately following – 2<sup>nd</sup> floor foyer*)
- Oct. 22 - (Weds) 2:00 p.m. Presentation of Employee Service Awards (*Reception immediately following – 2<sup>nd</sup> floor foyer*)